

Staff Variance Report
For
December 3, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“T” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

Tabled Variances:

13-01-36(b)

C

Lafayette Family YMCA – Lafayette

(b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? Tabled at the request of the proponent. Tabled at the proponent’s request until the March meeting. Tabled at the request of the proponent until the April meeting. Tabled at the request of the proponent until the June 4th meeting. **Tabled at the request of the proponent until the December 3, 2013, meeting.**

13-10-5

Withdrawn by the proponent.

13-10-16(a)(b)

D

Midwest Technical Institute – Brownsburg

(a) *The non compliant locking devices will not be removed as ordered by the local fire inspector, which require more than one operation to open.* The proponent advises that these devices are never locked and therefore would never need to be unlocked. The proponent further advises that the exposure to active shooter scenario would leave the students, faculty and visitors without a secure means by which to defend themselves from harm. They advise that in a lock down situation only the responding law enforcement agency will unlock the locks. The hardship is the estimated costs to remove and put on new devices, which is estimated at \$70,000.00 to \$90,000.00. These locking devices in accordance to the pictures are a combination locking door handle and a dead bolt lock.

- D (b) *The non compliant locking devices which cause the user to grasp pinch or twist to unlock will not be removed as ordered by the local fire inspector.* The proponent advises that these devices are never locked and therefore would never need to be unlocked. These locking devices in accordance to the pictures are a combination locking door handle and a dead bolt lock. **Tabled at the request of the proponent to research other types of locking devices and is working with the local fire official.**

13-11-12

- C **Hoosier House Furnishings, LLC – Goshen**
The code required spray booths and storage room will not be provided with an approved automatic fire extinguishing system. The proponent advises that this is an existing manufacturing operation conducted in an existing industrial building. The actual coating usage in this operation is minimal. The spray booths and storage room are existing and not undergoing repair or renovation. The spray booths are constructed to modern standards and equipped with effective exhaust systems. All appropriate signage has been recently updated. The processes have been in operation in their current status since March of 2005. The hardship is that the operations are unable to function without the ability to operate their wood finishing equipment. The addition of suppression equipment inside the existing spray booths and storage room would require that these operations be taken off line for an extended time during the installation. How long would it take to install? Were the installations of these spray booths and storage areas filed with State Plan Review? **Tabled no proponent.**

13-11-13

- C **Sincere Heart Adult Day Care Center – Merrillville**
The code required sprinkler system and fire alarm system will not be provided for the I-4 occupancy adult day care. The proponent has attached a drawing of the facility that shows they are adding exterior doors to all of the rooms that currently do not have them. A manual fire alarm system and direct wired smoke detectors will be added in each room. The hardship is the cost of the sprinkler system is estimated at approximately \$20,000.00. What is the level of abilities of the people in the day care? Are they capable of self preservation? **Tabled at the request of the proponent.**

13-11-26(a)(b)

- The Mezz – Carmel** Project #367055
CI (a) *The new five story, podium construction, apartment building will have 100% horizontal exiting for two floor levels into an open parking garage and the code only limits horizontal exits to 50% of the required exits.* The proponent advises that the building will be sprinklered with an NFPA 13 sprinkler system. The horizontal exits will be through a two hour fire wall. The open parking garage has two enclosed exit stairs. The garage has natural ventilation which should prevent the buildup of smoke. Another variance, 11-09-43(d) for The Avenue, was approved for a 4-story project, with the single exit from dwelling units going through a horizontal exit and having an NFPA 13R sprinkler system. The hardship is the cost and floor area required to provide vertical exit stairs within the apartment structure. What is the cost?
CI (b) *The new five story, podium construction, apartment building constructed of Type IA and VA construction will not be separated from the existing open parking garage of Type IIB construction by structurally independent fire wall as code requires.* The separation will be by fire barrier. The proponent advises that, as required by code, the new

apartment building will be sprinklered with an NFPA 13. They also advise that there have been variances approved in the past for this, but none were listed. The owner's hardship is the cost and difficulty to provide a fire story structurally independent fire wall. **Tabled so proponent can look at some redesign issues and work on a permanent easement for exiting into the garage.**

New Variances:

- 13-12-1 BI **Register Parking Garage – Bloomington**
The code required minimum 7' clearance will not be provided in one area of the parking garage. The current area of the parking garage has a clearance of 6' 10" from the floor to the beam and the 1998 Indiana Building Code requires a minimum of 7'. The rest of the structure has the 7' clearance. This one area is on the 4th floor of the parking garage. The proponent advises that they will take the following alternative actions: they will post signs, place the information on the city's web page associated with the garage, and they will stripe the beam in question advising of the clearance measurement to notify the public. The hardship is that the clearance cannot be widened due to the concrete beam in location. Both the floor and the beam are made of rebar and it is not possible to mill either side of the clearance without risking the structural integrity of the garage.
- 13-12-2 A **2372 S. Henderson Street – Bloomington – Windows**
The emergency egress windows do not comply with the code of record. The code requires that the windows be a minimum of 4.75 sq. ft. in openable area, have a minimum clear height of 24", a minimum clear width of 18" and have a sill height a maximum of 48". The current windows have a clear height of 22.75" in one room and 23" in the second room.
- 13-12-3 AI **Hillcrest U-Stor – Ossian** Project #365756
The self storage facility does not have any water service to the facility and will not be provided with the Table 29 items that are required by the code. The proponent advises that they will not install the emergency shower, drinking fountain or service sink. There are no employees on site. The hardship is the expense to bring the water service to the property.
- 13-12-4 B **Riley Hospital for Children – Sequence 3a – Indianapolis** Project #362046
The scrub sink located in a corridor to which the public has access on the 3rd floor does not meet the accessibility requirements of Chapter 11. The proponent advises that the scrub sink has been provided in the event of the need for an emergency surgery for one of the children, who are in this area as heart patients and are at higher risk of this possibility. The family members and visitors are not required to wash their hands and there is hand sanitizer available inside and outside of each patient room and accessible sinks within the patient rooms. There are also accessible sinks meeting the code in the patient rooms, bathrooms and public restrooms. The hardship is that this type of sink is the type used for surgery and not the general public and the sink is provided for the staff for their cleansing in the event of an emergency.

- 13-12-5 BI **Bethel Memorial Church – Princeton** Project #359213
The condition that the proponent put into the previous variance (12-11-9) was that no storage would be put into the attic for the new storage building and they are now wishing to alter those conditions and start storing in the attic space. The original variance was to not follow Table 29 of the IBC. They advise that the original building was built to store relatively large items on the ground floor, such as multiple ladders, lawn mowers and other lawn equipment and a pallet of salt for deicing the parking lot. They advise that they purposefully designed a large attic, as well for use for storage. They had originally installed a stairwell that did not meet code and removed it and then installed a pull down attic ladder.
- 13-12-6 NVR **Indy Periodoncia – Indianapolis** Project #
The code required 20 minute fire rated doors will not be provided nor will there be any doors provided for some of the rooms along the rated corridor. The proponent advises that the rooms involved are hygiene, treatment and sterilization rooms. The building is one hour rated construction including the rooms involved and the corridor. The hardship is the installation of the doors would limit the accessibility to the equipment in the rooms. Rated doors are not required in corridors in VA construction in the absence of the specified occupant load.
- 13-12-7 C **Indiana Convention Center - The Annual Indianapolis Auto Show – Camp Jeep**
During the auto show, Camp Jeep will be operated with 6 to 8 vehicles that will be powered by gasoline and, as part of the show, the vehicles will be housed in the Convention Center. The proponent advises that the 6 to 8 jeeps will be fueled each morning prior to the event outside the convention center in a specially designated area. The gas caps for the tanks will be locking type caps. The maximum tank capacity occurs for the Grand Cherokee which is 24.6 gallons. The exhibition hall's exhaust system will be in operation for this event. The event employs safety staff who will monitor carbon monoxide levels throughout the event. There will be fire extinguishers provided throughout the track at locations indicated by the event and convention center's safety staff and additionally augmented as requested by the local fire department. Exposed electrical and plumbing floor ports will be protected from the infiltration of fluids in the area of the track. The proponent advises that this event has been held at the Convention Center and numerous other times in other similar facilities with not accidents or injuries. How will the electrical and plumbing ports be protected? Variance 12-12-38 was approved last year for this same project for one year and listed 6 vehicles. This variance is for 6 to 8 vehicles and the request is for the approval for every year from 2014 forward.
- 13-12-8 C **Recovery Complex Support Center – Jeffersonville** Project #367096
The insulation will be draped over the purlins when using thermal blocks which is not allowed per the Indiana Energy Conservation Code as continuous insulation. The proponent advises that ASHRAE 90.1, 2010 was modified to recognize this method of using the thermal blanket with insulation, by draping over the purlins as an approved method of creating continuous insulation. The hardship is that to insulate adjacent to the metal roof panels to avoid moisture condensation in the building.

- 13-12-9(a)(b)(c) **Mainstreet Health and Wellness Suites of Terre Haute** Project #367234
- C (a) *Sliding doors will be used in lieu of the code compliant side hinged swinging doors at the entrance to the formal dining room.* The proponent advises that the formal dining room is 150 sq. ft. with an occupant load of 10. The building is sprinklered throughout. The hardship is the owners wish to use sliding door's because they are aesthetically appealing and work well with small spaces like the formal dining room.
- B (b) *The new extended care health facility will have both assisted living (I-1) and skilled care nursing (I-2) and will have a nonrated glazed window in a 2 hour fire barrier between the two use groups which is not permitted under the 2008 Indiana Building Code.* The barrier is installed to avoid I-1 requirements of rated corridors throughout the entire building and to avoid a more stringent NFPA construction requirement. The building is sprinklered throughout with an NFPA 13 system. The single glazed opening overlooks the lobby from the second floor. The opening will be protected with close spaced sprinklers located on both sides of laminated glazing, not more than 6 feet on center and not more than 12 inches away from the surface. The hardship involves the cost to install a rated assembly of expensive ceramic glazing or the cost of a rolling shutter.
- C (c) *The variance request is to permit the nurse area and common areas to be open to the corridor in the assisted living facility, I-1 occupancy, which is not allowed by code.* The code requires corridors to be 1 hour rated fire resistive construction and does not permit them to be interrupted by intervening rooms except for foyers, lobbies, and reception rooms. The common areas include game areas, pub, dining, and nourishment/server kitchen. The 2 story building is of Type VA construction. The 1st floor is a nursing home, I-2 occupancy, and the 2nd floor is an assisted living I-1 occupancy. The proponent advises the following: the building is protected throughout with an NFPA 13 sprinkler system, smoke detectors tied to the fire alarm system will be provided in common areas and nurse areas open to the corridors, the I-1 occupancy is separated from the I-2 by 2 hour construction, the maximum travel distance is 159 feet to a 2 hour enclosed exit stair that discharges to the exterior. The owner wishes to provide an open and inviting appearance to these areas for the residents of the assisted living facility. Which of the "alternatives" is required? How is the lack of an "inviting" appearance an undue hardship?
- 13-12-10 CI **IU Health – Riley Hospital – Surgery Hand Scrub – Second Floor – Indianapolis**
There will be aerosol containers, containing a Class I Aerosol, installed in corridors serving the OR's, which is not allowed per the current code. The proponent advises that the building is fully sprinklered with quick response sprinklers. The corridor system is protected with an automatic smoke detection system, which is not a requirement of the code. Section 5705.5(1) of the proposed 2014 Fire Code, is silent as to the installation of Level I aerosol containers in corridors. Per the proponent NFPA 101, the 2012 Edition, allows this type of installation. The hardship is that this product is currently used by IU Health, Riley Hospital and is extremely effective for hand sterilization for surgery and is more cost effective than similar products that are not aerosol based.

- 13-12-11 CI **Valley Line Wood Products – LaGrange**
The code required sprinkler system will not be installed in this wood working facility and an NFPA 664, 1998 Standard for Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities, compliant dust collection system to collect the fine dust particles will be installed. The proposed facility will make use of dust collection equipment which will be attached to woodworking machines to immediately expel the dust from the operations. The proposed facility is in LaGrange County and there is no city water supply, nor is it likely that city water will become available in the near future. The cost associated with the construction of a well and storage tank is approximately \$125,000.00, to service the required automatic sprinkler system and the applicant states that cost is beyond that of what the project can bear. The attachment references a fire wall is one being installed?
- 13-12-12 NVRI **Indiana Marujun – Winchester** Project #367895
The current 34 existing smoke vents will be removed. This is an F-2 factory industrial low hazard (metal stamping) per Section 306.3 of the IBC unlimited area, fully sprinklered, one story, 60' side yards per Section 507 of the Indiana Building Code and smoke vents are not required. The hardship is that the existing smoke vents are leaking and need to be replaced and they have received a quote for the replacement which is \$115,475.00.
- 13-12-13(a)(b)(c)(d) **Englewood Lofts – Indianapolis**
- CI (a) *The request is to permit the lofts to be treated as mezzanines or permit them to be a story without a stair to the roof and elevator service to the loft with stretcher size cab.* An existing church of Type VA construction, 4 stories in height is undergoing a change of occupancy to a 24 unit R-2 apartment complex and will have mezzanines exceeding the permitted one-third (1/3) of the area of the floor below. The loft mezzanine is considered a 4th story and would require a stair to the roof and an elevator to serve to the 4th story. The 4th story (loft) is within the 3rd story apartment unit and there is no floor area to accommodate either an extension of the elevator (stretcher size) or stair. The building will be provided with a fire suppression system throughout per NFPA 13R, 2010 Edition. The majority of the roof is a 12:12 pitch. Portions of the roof are 4:12 and are not contiguous and not adjacent to the stair. The hardship involves the requirement to extend the stair to the roof and provide a stretcher size elevator cab.
- CI (b) *The existing stairway landing is required to be 48" in depth and is only 43½".* The landing and stair are existing. The hardship is the cost to remove the exterior wall to increase the depth of the landing.
- CI (c) *The LBO has determined that bi-fold doors on laundry closets are not permitted as the bi-fold doors inhibit the required clear floor space.* The proponent advises that the bi-fold doors are easily removed in the event a physical challenged individual would rent the apartment. The adaptable feature meets the requirement for not-skilled feature, which is a requirement for adaptable elements similar to removable cabinetry. The hardship involves the need for removal of bi-fold doors when it has been interpreted by Plan Review as adaptable.
- CI (d) *There is an area of 1 hour roof ceiling assembly that has been penetrated with the 1 hour rated partitions to the roof deck that creates a deficiency for the 1 hour horizontal*

roof/ceiling assembly. The remainder of the building has a compliant roof/ceiling assembly. The building is provided with a fire suppression system throughout per NFPA 13R, 2010 edition. The area of building will have the sprinkler density increased. Sprinkler design has not been completed for example if sprinkler design is .10 we will increase to .15. The same ratio will be utilized. The hardship involves the cost to remove the newly installed fire partitions and associated work. The Commission needs a specific proposal on the sprinkler upgrade.

- 13-12-14. AI **Strawser Storage #3 – Wolcottville** Project #367131/367302
An existing self storage complex is adding a new self storage building of 5,600 sq. ft. and will not provide the code required emergency shower, eyewash station, service sink or drinking fountain. The proponent advises that the complex is normally unoccupied and has no office or employees or plumbing. The hardship involves the cost to add plumbing for these items.
- 13-12-15 C **Southern Food Systems – Indianapolis**
The existing warehouse building has existing high piled combustible storage and is storing vehicles, including the owner's personal RV, and trucks owned by the company that are used for deliveries and the code required sprinkler and other requirements for high-piled combustible storage are not met. The proponent advises that the storage is of kitchen equipment in cardboard boxes and equipment out of cartons in steel racks. The proponent advises that the high piled storage, fire department access roads, smoke and heat vents, sprinkler system, etc. were not provided when the building was constructed in 1977. They have been cited by the Indianapolis Fire Department. The proponent advises that there are clear aisles that are maintained and there is clear access around the building. The hardship involves the cost to upgrade the existing access around the building to comply with current code and to provide sprinklers and smoke and heat vents. Need further information about what has changed since 1977 and a copy of the order issued by the IFD.
- 13-12-16 BI **Kokomo Central Middle School – Auditorium Restoration – Kokomo**
The roof ceiling assembly will not be fire rated as required by code for the proposed renovation/restoration of the auditorium on the 2nd floor of the 1914 portion of the building. The proponent advises that, based upon the classification of this portion of the existing building as Type V-I hour construction per a 1995-1996 renovation project, the elements in the building are assumed to require a 1 hour rating. Based upon the height of the bottom of the steel girders, less than 20 feet above the balconies (16 feet actual), the roof construction is required to be fire rated. The investigation of the construction that was done in 1995-96 projects demonstrates that a 1 hour rating was not in fact provided as part of the project. The building is classified as an "E" occupancy of Type VA construction. The project includes replication of the original ceiling construction, as well as restoration of the original balconies and seating replacement. The building is protected throughout with an automatic sprinkler system per NFPA 13. The automatic sprinkler protection will be provided above and below the new ceiling construction. The hardship is the complexity of the existing roof structure affects the ability to provide 1 hour membrane protection for the existing roof structure.

- 13-12-17 CI **Neovision – Interior Build-out – Lafayette**
The building that was built in 1958 has undergone many tenant changes over the years and, as currently constructed, the building area (49,267 sq. ft.) exceeds the allowable area for “B” occupancies in a type VB construction building. The tenant build-out will change the current occupancy of three tenant spaces from “M” and “A-2” to “B” occupancies. The new “B” occupancy in tenant spaces D-3A, D-4 and D-5 will not reduce the allowable area of the building (9,000 sq. ft. base allowable for “B” and “M” and 6,000 sq. ft. for “A-2”) or add a more hazardous occupancy to the existing building. The hardship is that there are currently 11 occupied tenant spaces in the building that would be inconvenienced with the installation of a sprinkler system. In addition, up to 2 fire walls would also be required with the sprinkler system in order to bring the “A-2” occupancy areas within building allowable area because of the VB construction type that is used in the existing building. The cost of the sprinkler system would be between \$145,000.00 and \$175,000.00. The construction of the interior build out is estimated to be \$205,000.00.
- 13-12-18 AI **Shelby County Fairgrounds – Grandstands – Shelbyville** Project #367392
The seasonally used toilet rooms and ticket booths, and other enclosed spaces under the grandstand will not be provided with a permanent heating or cooling system, as required by code. The structure is an open-air grandstand used seasonally for events on the fairgrounds. The structure is used only during the warm weather months – there is no need for having the systems for the toilet rooms, ticket booths, and other spaces when the grandstands are in use. The plumbing systems involved are drained during the cold weather months. The hardship is the cost to provide the permanent heating system and comply with the energy code.
- 13-12-19(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k) **Wishard Replacement Hospital – Indianapolis** Project #345739
- C (a) *The code required elevator machinery spaces that are required to be rated will not be rated. The proponent advises that these rooms that have been cited by the City of Indianapolis, as not having a 2 hour rating, were mislabeled as Machine Rooms on the plans and has since been corrected to list the rooms as Elevator Control Rooms. They advise that there is a discrepancy between the elevator code and building code as to the rating of these rooms. The hardship is that they feel that there is no benefit to this fire rating.*
- C (b) *The code required installation of smoke detectors in rooms (specifically electrical and data rooms) with beams deeper than 12” will not be done. The proponent advises that they will install discretionary smoke detection even though the areas will be sprinklered and smoke detection is not required if sprinklered, but they want to follow the 2007 Edition of NFPA 72 rather than the adopted code, in order to use the newer provisions for initiating devices located on irregular ceilings. There is no hardship listed.*
- C (c) *The code required drinking fountains in Table 29 of the 2008 Indiana Building Code will not be followed in the physical and occupational therapy areas. The code requires dual drinking fountains and there will only be one provided at the standard height. The*

quantity of drinking fountains required by the code is 1 per 100 occupants per Table 29. The proponent advises that they will be installing of drinking fountains, a high and a low adjacent to each public restroom. The hardship is that the consumption of water needs to be controlled due to the treatments and procedures being done to the patients being, in emergency services or under observation receiving care from the nursing staff.

- NVR (d) *The use of an accessible side approach to the sink is not allowed in a vending area.* The sink is in a vending area as a convenience sink. The proponent advises that the sink is designed to provide an accessible approach and has the required clear area. A117.1 – 2003 Section 606.2 Clear Floor Space, Exception 1 allows a parallel approach complying with Section 305 (for clear floor space) to be permitted to a kitchen sink in a space where a cook top or conventional range is not provided and Exception 6 allows a parallel approach to be permitted at wet bars.
- C (e) *The toilet area in the prisoner area is not accessible in any way and the code requires that one of each type to be accessible.* The toilet needs to be 56" X 60". Within the two toilet/shower rooms in the emergency department of corrections, the hand sinks are installed at 13" from the side wall rather than the 15" minimum required by code, the doors are equipped with a closer and do not provide 12" at the latch side at the approach side of the door. In one room, there is an open concept shower that is not provided with an enclosure, grab bars, or required clearances. This part of the hospital is classified as an I-3 corrections unit. These patients are under direct supervision as required 24 hours per day, 7 days per week, 365 days a year. If there is a problem, there is someone there, should the patients need assistance. The layout does still provide for the required 30" X 48" approach at the sink, as well as 48" approach at the doorway. In addition a 5' 0" unobstructed turning radius is provided within the room. The hardship is that the current installation of finishes, plumbing, doors, and frame walls would make it difficult to provide fully accessible approaches to each of these fixtures and doors.
- A (f) *The door height to the sound booth room is less than the code required 80" high.* The proponent advises that the door to the booth is 36" X 73 1/4". The hardship is that this is a standard piece of medical equipment specifically designed and manufactured for audiological testing. The door size is the manufacturer's standard. Increasing the size of the door would require a redesign of the booth itself to meet the audiological testing requirements and void the manufactures warranty.
- NVR (g) *Sliding doors will be used rather than side swinging doors in the facility support services storage spaces.* The rooms are subdivided with fenced cages that have the sliding doors. The lower level of the building contains the facility support services spaces and these spaces are subdivided into individual storage compartments with cages that have the sliding doors. The doors are of different sizes including: 3' 6" X 7' 0", or 6' 0" X 7' 0". There 9 individual areas with occupant loads of from 1 to a maximum of 3 individuals. The code allows for this type of door in Section 1008.1.1, in Exception 1 for areas such as private garages, office areas, and factory and storage areas with an occupant load less than 10.
- C (h) *The code required protection will not be provided for the preparation or display of food beneath overhead soil or drain pipes, unless they are protected against leakage or condensation from such pipes reaching the food or drink.* The code requires that all openings through the floors over such areas shall be provided with sleeves securely bonded to the floor construction and projecting not less than 3/4" above the top of the

finished floor with space between the sleeve and pipe or duct sealed. The plumbing fixtures, except tubs, in rooms located above such areas shall be of the wall mounted type. The proponent advises the 1999 Indiana Plumbing Code allows for alternative methods of installation if approved by the Authority Having Jurisdiction. The current design includes a double containment sanitary system above all sensitive area, including the kitchen and server. The proponent advises that the system listed in the Indiana Plumbing Code would not be acceptable to the Indiana State Dept. of Health. The hardship is that the current installation is coordinated with the Indiana State Department of Health requirements, adjusting the installation to meet the requirements of Section 318 as listed in the original violation would require extensive reworking of the work that is largely completed above the ceiling as well as at the floor above. Request input from Commissioner Hite.

- C (i) *Access controlled egress doors will be utilized at Level 05 pediatric unit, with magnetic locking devices to prevent infant abduction, which is not allowed per the code. Also, the emergency department psychiatric rooms which are classified as I-2 occupancies will have magnetic locking devices on them as well.* The proponent advises that they will utilize the magnetic locking devices on the egress doors within the I-2 occupancy, as well as at the boundary separating this I-2 department from the adjacent "B" occupancy spaces. The hardship is the fear of infant abduction and the need for the locking devices to protect these children. The hardship for the emergency department psychiatric rooms is that the keyed locks were not allowed to be installed for the safety of the patients being secluded, in addition the safety of the patients within the adjacent departments would be compromised.
- B (j) *The code required second exit for the roof patio will not be provided.* The proponent advises that the area of the roof patio is 1,286 sq. ft. and there is one door which is 36" X 84". The roof patio access will be limited to solely through the burn unit. The patio is designed for use by the burn patients as an amenity for them and their families. Due to the severity of the conditions (infection control) of these patients, access and time spent on the roof patio will be controlled by staff. The patio was designed to meet the requirements of Section 1004.8 outdoor areas for patios, using table 1004.1.1 the occupancy load is 13.
- B (k) *There will be a sanitary drain located in stair #3 which is not allowed unless enclosed by a 2 hour enclosure.* The proponent advises that the sanitary pipe will be wrapped with a 2 hour insulation sleeve. The hardship is that the 2 hour wrap of the sanitary line is equivalent to a 2 hour partition enclosure as currently installed.

13-12-20(a)(b)(c) **Wayne and Vera Bontrager – Woodworking Facility – Goshen Project #367102**

- A/NVR (a) *There will be no fire alarm transmission to the fire department installed as required by code.* The proponent advises that this is an existing wood shop of 3,352 sq. ft. and is a 1 story structure. There are only three people who work in the wood shop. There will be no new employees hired for the proposed new addition. The employees will enter the new addition only to stock and retrieve stored lumber. The employers live on site. Section 1904.1 of the fire code specifically applies to timber and lumber production mills and veneer mills. This shop makes doors and trim. It does not produce lumber or plywood. The hardship is that they do not feel this section of the code applies to their facility and this is an Amish facility and is not connected to the grid for electricity

or telephone service so the requirement would violate their religious principles. Staff does not see this as a facility regulated under Chapter 19 of the Indiana Fire Code.

A/NVR (b) *The code required manual fire alarm system will not be installed in this facility.* The proponent advises that this is an existing wood shop of 3,352 sq. ft. and is a 1 story structure, plus the addition. The small size of the building allows anyone who would detect a safety problem to verbally or manually notify the others as quickly as a manual fire alarm could be activated. Section 1904.1.1 specifically applies to timber and lumber production mills and plywood and veneer mills. This shop makes doors and trim. It does not produce lumber or plywood. The hardship is that they do not feel this section of the code applies to their facility and this is an Amish facility and is not connected to the grid for electricity or telephone service so the requirement would violate their religious principles. Staff does not see this as a facility regulated under Chapter 19 of the Indiana Fire Code.

A/NVR (c) *The code required sprinkler system will not be provided for this facility.* The proponent advises that this is an existing wood shop of 3,352 sq. ft. and is a 1 story structure, plus the addition. The employers live on site so the property is seldom unmonitored. There is an existing dust collection system in the wood shop. The hardship is that there is no municipal water supply available within 3 miles of the facility. The cost of a fire well is cost prohibitive. Power for the shop is provided by a diesel generator which operates only during business hours. These variances have come about due to the proposed addition of the of 4,020 sq. ft. storage building that they have filed to construct next to the current wood shop. Staff does not see this as a facility regulated under Chapter 19 of the Indiana Fire Code.

13-12-21 CI **521 Franklin St. – Michigan City – Apartment Conversion** Project #364300
The code required sprinkler system will not be provided as part of this conversion to add three new apartments to the building. The proponent advises that there will be 10 apartments and two store fronts. The building was upgraded in 2003. The proponent does not advise what was done at that time. The hardship is the cost to bring a 4" or 6" pipe from the opposite side of the street, would be too costly. What is the cost to comply?

13-12-22 CI **Clifton Square – Indianapolis** Project #365249
The code required separation between the new senior apartment community room and the apartment with a horizontal assembly of 1 hour construction will not be provided. The separation is from the upper story and, based upon the Type VA construction, there is a top flange of the floor beam that is not fire proofed. The proponent advises that all other elements of the beam and other structural elements are properly protected. The building will be protected with an automatic fire suppression system per NFPA 13, the 2010 Edition. The sprinkler system design density will be increased, but the proponent doesn't provide specific increase being requested. The owner's undue hardship is the cost and difficulty to protect the top flange as the structure is already erected.

13-12-23(a)(b) BI **Pike High School Pool – Renovation/Expansion/Update Project – Indianapolis**
(a) *A complete renovation (leaving only the shell) and addition to an unlimited area high school pool area will be built without the code required sprinkler system over the pool*

and deck areas. The code does not exempt the pool and deck area from the sprinkler requirement. The proponent advises that the entire building is sprinkler throughout per NFPA 13. There will be sprinklers provided over the spectator seating areas on the balcony level. Limited combustible loading and separation distances between those items are typically found on the pool deck. The hardship involves the difficulty and expense to install and maintain a new automatic sprinkler system in these areas and this environment and lack of fire load do not increase the threat of fire.

- CI (b) *The code required emergency voice/alarm communications system required for occupant loads in excess of 1,000 will not be provided for the building.* The addition to the existing high school will create this increase in occupant load. The entire building except for the pool and deck area will be protected with a fire suppression system. The spectator seating area is 684 in the balcony level. The calculated occupant load for the pool area is 339, and the deck area with participant bleachers is 660. Except for the spectator seating area, the occupant loads are not realistic to the actual number of participants. A complete new fire alarm system will be installed per NFPA 72 throughout the building. This is a large open room, with a lack of fire load, everyone in the room has total awareness of their surroundings and the room has a PA system in the pool area that could be used to make announcements as needed. The hardship is the difficulty and expense to install an emergency voice/alarm communications system in an open high school pool area. What is the cost?

13-12-24

D **Osgood Grub Company – Osgood**

The code required Type I hood with suppression system will not be provided over 2 six burner commercial stoves used in a restaurant kitchen. The proponent advises that these stoves are under a Type II hood. They advise that the stoves are used for 2 to 3 hours each morning to prep for the buffet. Then, once the buffet is being served, they would only use the stoves for a couple of pots with back up food or other prep. They would also be used in the evenings when a buffet meal is served. They say that there are no grease laden vapors or smoke under this hood. Those type vapors are under another hood which is Type I, where they do all the frying, broiling and sautéing which is in the main kitchen. The hardship is the cost to comply, which is estimated to be \$30,000.00, plus the removal of the old hood, gas and electric work. This would also require closing for numerous days causing an economic hardship on the employees. The pictures show pots, pans and skillets on or above the one of the stoves in question.

13-12-25

BI **Ash Tenant Space – Carmel**

A new "B" occupancy office tenant space in an existing building will be installing electromagnetically secured locking devices on egress doors which are not allowed by code. The proponent advises that the building is protected with an automatic fire suppression system per NFPA 13. The hardship involves the need to have security for the tenant space.

13-12-26(a)(b)

C **Indiana State University – Normal Hall – Terre Haute**

(a) *The variance request is to permit the stair in the new addition to open to the 3 story atrium.* The proponent advises that the original use of the building, constructed in 1907 and an addition in 1955 was a library and offices (A-3/B occupancies). The proposed use

of the building is offices, conference rooms, classrooms (for college students), a gallery space, and a room for events that will be used for as (B/A-2/A-3 occupancies). The 3 story addition of approximately 2,900 sq. ft. per floor will house a stair, elevator, toilets, and mechanical and data rooms. The addition will be of Type IIB construction. The addition is being added to the building to accommodate needs currently lacking in the building. The hardship is the owner wishes to utilize this design because it is a more aesthetically appealing from both the exterior and interior of the building since this will become the main entrance to the building. The owner wishes to keep as much of the small addition open as possible so that the exterior of the existing historic building is visible from the exterior of the addition.

- C (b) *The existing building will be evaluated using Section 3410 of the IBC in lieu of compliance with all of the requirements for new construction and the variance request is to permit a score of 0 in lieu of -14 for vertical openings.* The existing 3 story stairs will be separated at the lower level only and open to the upper 2 stories. The building is listed on the National Register of Historic Buildings. The university wants to maintain historic appearance of the building and enclosing the two existing ornate stairs would significantly alter the appearance of this part of the building.

- 13-12-27 C **Norwell High School – Revitalization Project – Ossian** Project #361908
The existing Simplex Fire Alarm Panel in the high school indicates “Trouble” as remote devices have been removed due to renovation, which is not allowed by code. The proponent advises that new devices are installed to replace the existing ones as renovation occurs. The new devices are assigned to the new Koorsen fire alarm panel in the high school. They advise that all panels are functioning properly and report to the local fire department. The hardship is the construction is ongoing until August of 2014 and the “trouble” signals will appear as each phase of work occurs and clearing the “troubles” from the existing Simplex panel is costly and provides no benefit to the safety of the building occupants. What is the cost?

- 13-12-28 BI **Wooden Bear Brewing Company – Greenfield**
An existing one story “M” occupancy is undergoing a change of occupancy to an “A-2” occupancy and the variance request is to allow the existing 12” or thicker masonry walls that separate this space from the remainder of the building as the limits of the Chapter 34 review. The proponent advises that, Sec. 3410.2.2 of the model code, which was deleted, would have permitted the Chapter 34 evaluation for this space only based upon the required separation per Table 508.3.3 being provided. The proposed 2014 code has not deleted this section and, if adopted now, a variance would not be required. The owner’s hardship involves the deletion of Section 3410.2.2 and the proposed new code allowing the condition.

- 13-12-29 CI **Lafayette Auto Exchange – Lafayette**
An area of approximately 4,300 sq. ft. of an existing auto dealership will be used as an auto auction for approximately 6 months without complying with the code for a change of occupancy or a Chapter 34 evaluation, the time period being requested is to start the 6 months on December 1, 2013. The area that will be utilized is part of the S-1 part of the dealership which would be temporarily changed to an A-3 occupancy for this use. The

total structure is approximately 19,000 sq. ft. and has been vacant for a period of three years. The restrooms in the office area will be used by the auction. The auctions will occur 1 or 2 times per week for the 6 months. The proponent advises that there will be two exterior exits provided from the auction space and the egress travel will be approximately 65 feet. The exit signs and emergency egress lighting will be provided as required by the code in the auction space. There will be extinguishers per NFPA 10 provided in the auction area. The occupant load will be limited to 100 maximum in the auction space, the typical number of attendees is expected to 50 to 75. Will the vehicles be driven in and out of the structure during the auction or will they be parked inside and left until the end of the auction?

- 13-12-30 AI **Loeb Stadium – Locker Room – Lafayette**
The Energy Conservation Code will not be followed as required for the stand alone locker room building for an amateur baseball venue. The space will be heated and cooled, but the envelope will not meet the ASHRAE 90.1 code requirements because the U-factor of the concrete masonry unit (CMU) exterior walls is too high. The proponent advises that they wish to have the locker room listed as unconditioned because it will be used daily from March through May and then only for special events from June through August. Heat is anticipated to only be used in the afternoon during practice time in early March. Cooling is anticipated to be used only during special events in June through August. The heating and cooling will not operate when the building is not in use. The building will be winterized during the winter months. The exterior masonry walls will be insulated with perlite. The building is 928 sq. ft. The hardship is the exterior CMU walls are desired to be left exposed on the interior for durability and cleanability since the space will be used as a locker room and winterized each year.
- 13-12-31 C **J. Lee Dever Accounting Corp. – Office Door and Landing – Ft. Wayne**
The interior storm/security door swings inward and reduces the required landing dimensions more than the 7 inches allowed, in two locations, both the front and back door. The proponent advises that the back door is not used by the public and rarely is used by the employees. The public normally using the front door mostly use the first floor. There is a gate that swings out over the landing at the top of the stairs and would guard against stepping onto the stairway upon exiting the main level. The hardship is that the removal of the storm/security doors would reduce the security protection and increase the outside air infiltration at both locations. What is the occupant load of the building?
- 13-12-32 CI **Allen County War Memorial Coliseum – Ft. Wayne**
Center handrails will be installed within the 42 inch wide stair aisles that currently do not have handrails (compliant with the code when the building was constructed) the handrail installation will result in a width of approximately 20 inches between the stair aisle and the center handrail and the seat and the 2008 Indiana Building Code requires a minimum of 23 inches between the stair aisle center handrail and the seating. The proponent advises that the existing aisle widths are in compliance with the building code in effect at the time the building was constructed. The handrails were not required by the code when the building was built. The installation of the center handrails will improve the safety of the occupants by reducing the potential for falls. The installation of the

handrails will allow the occupants to egress at a faster rate, thus improving overall egress from the building. The hardship is the desire to provide the handrails to improve safety and reduce the potential for falls and injuries rather than do nothing and leave the existing conditions. The physical limitation of the existing concrete stair aisle widths are a hardship being very costly to modify and would result in reduction of spectator seating. Is 20" wide enough?

13-12-33(a)(b)

Ironworks Indianapolis – Indianapolis

Project #363464

BI

(a) *The code required three foot extension above the roof will not be provided for the trash chute that only serves the 1st and lower levels and does not extend through the roof of the 5 story structure.* The proponent advises that the trash chute will be sprinklered per the 2008 Indiana Building Code, NFPA 82 and NFPA 13. The 2008 Indiana Building Code Section 707.13 does not require the termination above the roof. The building is sprinklered per NFPA 13. The chute door and shaft will be fire rated. The hardship is that the chute only goes down one story of the five story structure and was not designed for the future restaurant tenant having a trash chute.

BI

(b) *The 2008 Indiana Building Code and NFPA standard on trash chutes require that the trash chute on the 1st level be accessed through an access room (or service room) that is a 1 hour fire rated enclosure and this will not be provided.* The proponent advises that NFPA 82 is more restrictive and requires a 2 hour fire rating. The restaurant kitchen will have direct access to the chute. The trash chute will have a ceiling sprinkler in the kitchen within 3 feet laterally of the chute door. The building is sprinklered per NFPA 13. The chute door and shaft will be fire rated assemblies. The hardship is the unobstructed access to the trash chute for daily operations.

13-12-34

CI

Lake Rudolph Camp Ground and RV Park – Santa Claus

Recreational park trailers have been moved into southern Indiana and the wheels have been removed and the units have been anchored to the ground, and the units have not been filed and are Class 1 structures, which is not allowed per the code. The proponent advises that there are approximately 55 units and there are approximately 100 more units proposed in the future to replace existing RV trailers with the wheels attached. The variance is to treat the units as recreational trailers, which are exempt from the rules of the Commission. The camp ground has been in place for many years. The proponent advises that the units comply with ANSI A119.5, Standard for Recreational Park Trailers and are labeled as Park trailers. They advise that these units are built as a single chassis mounted on wheels. The hardship is that the compliance with the Indiana Building Code is not possible with the existing units. What about the decks that have been added? How are these units secured to the ground?

13-12-35(a)(b)

Columbus High School – Addition and Renovation – Columbus

Project #368298

BI

(a) *The addition to the existing 3 story, with basement, partially sprinklered high school will have non-rated corridors, which is not allowed by code for a structure that is not fully sprinklered or has fire barriers to provided to separate the non-rated corridors.* The proponent advises that, as part of the project, a new automatic suppression system per NFPA 13 will be installed in the new addition and renovated areas. An extended corridor

smoke detection system and fire alarm system will be installed in the new and renovated areas. Approximately 68% of the overall building area will be sprinklered after this project. The new construction is approximately 2.7% of the existing building. The hardship involves the cost (walls, doors, door closers, and dampers) and the maintenance of one hour corridor walls.

- BI (b) *The existing 3 story with basement, partially sprinklered high school will be placed into further noncompliance by an addition.* The building is primarily of Type I-B construction, (with II-B, II-1 hour); and III-B portions of the building) of approximately 483,000 sq. ft. The new addition will total approximately 13,000 sq. ft. or 2.7% of the existing building. The GAR requires the existing building and its additions to comply with the allowable height and area limitations for a new building or be separated by 4 hour walls. The proponent advises that a new automatic sprinkler system per NFPA 13 will be installed in the new addition and renovated areas. The new construction will be of Type II-B. An extended corridor smoke detection system and fire alarm system will be installed in the new and renovated areas. Approximately 68% of the overall building area will be sprinklered after this project. The new construction is approximately 2.7% of the existing building. The hardship involves the cost and difficulty to provide structurally independent 4 hour fire walls between the addition and the existing building.

13-12-36(a)(b)

Bishop Dwenger High School – Gymnasium Renovation and Addition – Ft. Wayne

- CI (a) *An existing (1956) two story partially sprinklered high school of Type II-B construction and approximately 203,500 sq. ft. will be placed into further noncompliance by a sprinklered wrestling room of approximately 5,200 sq. ft.* The GAR requires that an existing building and its additions comply with the allowable area limitation for a new building of Type II-B construction or be separated by a 4 our structurally independent fire wall per the Indiana Building Code. The hardship involves the cost and difficulty to provide a structurally independent fire wall between the addition and the existing building. What is being offered that is required?
- CI (b) *The new corridor created as part of the renovation will not be rated as required by code.* The code requires that the entire building be fully sprinklered throughout to have nonrated corridors. The hardship involves the cost and difficulty to change out other existing doors/walls in this newly created corridor. What is being offered that is required?

13-12-37

- BI **Accutech Mold and Machine Warehouse Addition – Ft. Wayne** Project #366824
The proposed warehouse addition of 12,020 sq. ft. plus the 1st floor existing building area of 30,000 sq. ft. will exceed the allowable area for Type VB construction. The allowable area is 38,250 sq. ft. Minimum width is 30 feet on the north and south ends of the existing building. The addition is classified as an S-1 occupancy and will be used to store finished products. The existing building, which produces machined and plastic injection parts for various industries, is classified as an F-1 occupancy, and also includes S-1 occupancy (storage) and B occupancy (office) areas. The building is evaluated as nonseparated occupancies, with the allowable area based upon the existing F-1 occupancy. The addition will be protected with automatic sprinklers. The existing building is provided with automatic sprinkler protection throughout. There will be a sprinkler curtain consisting of close spaced sprinklers provided on each side of the

nonrated overhead door to be installed in the opening to the new connector from the existing building. The hardship is the cost to create a structurally independent fire wall between the existing building and the addition.

- 13-12-38 NVRI **Indian Prairie Baptist Church – Carlisle** Project #367571
The new church will have a raised platform that will not be provided with a permanent ramp providing a wheelchair accessible path and the baptistery will also be raised and no ramp will be provided for wheelchair accessibility, as required by code. The proponent advises that the platform area and the baptistery are not considered primary functions of the building. A small raised platform will be provided with a removable ramp that can be used on occasions when there is a need for wheel chair access to the platform. There will be an accessible path provided to all primary function areas of the building. The ADA exempts religious facilities from having to comply with accessibility requirements and does not require an accessible path to the raised platform or baptistery. The hardship is the limited space within the footprint of the building available to provide ramp access to the raised platform and the baptistery. The cost of providing lifts is not justified for these small non primary function spaces.
- 13-12-39(a)(b) **YMCA of Kokomo – New Replacement Facility – Kokomo**
AI (a) *The new sprinklered YMCA building will not be provided with sprinklers over the swimming pools, whirlpool and deck area, as is required by code. The proponent advises that the remainder of the building will be protected by an automatic sprinkler system per NFPA 13, the 2010 Edition. The pools and deck area will have an extremely low fire load. The nonsprinklered swimming pool and deck area will be separated from the rest of the building by a 2 hour fire barrier. The entire building will be Type II noncombustible construction. The hardship involves the cost and difficulty to maintain an automatic sprinkler system, specifically piping and heads, in a harsh pool environment.*
BI (b) *The new YMCA, required to be constructed of Type II-A construction, will have an exposed steel structure and columns over the gymnasium, reception, lobby, lounge areas and the fitness, running track and program spaces, which is not allowed by code. The code requires that the steel be protected with one hour fire proofing. The building will be protected with an automatic sprinkler system per NFPA 13, the 2010 Edition except over the pool and deck area. The sprinkler design will be increased to Ordinary Hazard Group 1 density and spacing (from light hazard) over the areas where the steel structure is exposed. The areas where the exposed steel will be will have an extremely low fire load. Gymnasium will be used for athletics only. The hardship is the cost and difficulty of providing and maintaining fire proofing on the exposed steel structure and the owners desire to have the look of an open exposed steel structure.*
- 13-12-40 AI **511 E. 14th Street – Bloomington – Windows**
The emergency egress windows have a sill height of 45" from the finished floor and code only allows a maximum height of 44". This dimension is per the 1989 Indiana Building Code.
- 13-12-41 AI **513 E. 14th Street – Bloomington – Windows**
Same as 13-12-40.

